

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA

v.

BENITO LOPEZ

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CASE NO. 4:06cr293

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On July 9, 2008, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that the Government's Motion to Strike or Dismiss Pleading Captioned "Petition on Hearing of the Adjudication" for Lack of Standing (Dkt. 57) be GRANTED and B. Keith Maynard's "Petition on Hearing of the Adjudication" (Dkt. 42) be DENIED.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court. Therefore, the Government's Motion to Strike or Dismiss Pleading Captioned "Petition on Hearing of the Adjudication" for Lack of Standing (Dkt. 57) is GRANTED, and B. Keith Maynard's "Petition on Hearing of the Adjudication" (Dkt. 42) is DENIED.

IT IS SO ORDERED.

SIGNED this 6th day of Aug, 2008.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE